

**HOUSE BILL NO. 218**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE TUCK

Introduced: 5/19/21

Referred: State Affairs, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the inspection and testing of fire dampers, smoke dampers,  
2 combination fire and smoke dampers, and smoke control systems; and providing for an  
3 effective date."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 \* **Section 1.** AS 18.70.050 is amended to read:

6 **Sec. 18.70.050. Power of department to inspect buildings and other**  
7 **structures.** The Department of Public Safety may enter any building **or other**  
8 **structure** subject to regulation under AS 18.70.080 during reasonable hours for the  
9 sole purpose of inspecting the property or abating a fire hazard.

10 \* **Sec. 2.** AS 18.70.080(b) is amended to read:

11 (b) The commissioner of public safety may establish by regulation and the  
12 department may charge reasonable fees for

13 **(1)** fire and life safety plan checks made to determine compliance with  
14 regulations adopted under (a)(2) of this section; **and**

**(2) inspections and testing performed to determine compliance with regulations adopted under (c) of this section, including inspections and testing of the buildings and structures of a municipality.**

\* **Sec. 3.** AS 18.70.080 is amended by adding new subsections to read:

(c) In addition to the regulations adopted under (a) of this section, the Department of Public Safety shall adopt regulations for the fire and life safety code of the state that are consistent with national fire protection standards and that require the inspection and testing of fire dampers, smoke dampers, combination fire and smoke dampers, and smoke control systems. Except for single-family residences, the regulations must apply to

(1) mental institutions, penal institutions, group residential facilities, intermediate care facilities, nursing homes, hospitals, schools, buildings that are more than one story high, and buildings used for sleeping purposes;

(2) buildings used for the public assembly of persons for deliberation, education, instruction, worship, entertainment, or amusement;

(3) buildings owned or occupied by the state or by a municipality or other political subdivision of the state; and

(4) all other buildings where large numbers of individuals work, live, or congregate.

(d) The regulations adopted under (c) of this section must require that

(1) the state, a municipality with a fire and life safety inspection program, or a person that has a current fire and life safety certification conduct the inspection and testing; the certification under this paragraph must be issued through the International Certification Board or from a program accredited by the American National Standards Institute under standard ISO/IEC 17024; and

(2) the state, municipality, or other person that conducts the inspection or testing submit findings of noncompliance to the owner of a building or structure that is not in compliance and to the state fire marshal.

\* **Sec. 4.** AS 37.05.146(c)(37) is amended to read:

(37) receipts of the Department of Public Safety from fees **under AS 18.70.080(b)** for fire and life safety plan checks **and the inspection and testing of**

- 1        **fire dampers, smoke dampers, combination fire and smoke dampers, and smoke**  
2        **control systems** [UNDER AS 18.70.080(b)];  
3        \* **Sec. 5.** This Act takes effect January 1, 2023.